



Brian Schweitzer
Governor

OFFICE OF THE STATE PUBLIC DEFENDER STATE OF MONTANA

Chief Public Defender
Randi Hood

MONTANA PUBLIC DEFENDER COMMISSION BRIEFING APRIL 18, 2008 MEETING STIPEND ISSUE – CONTRACT ATTORNEYS

- Currently the agency pays a \$25 per month stipend to contract attorneys
- This payment is in addition to the \$60 per hour rate for attorney services and any travel costs claimed by the contract attorney
- The attorney may claim long distance calls to and from clients
- This stipend is intended to cover all other office costs: copies, phone, etc.
- Contract attorneys claim that this amount is too low to cover all other costs
- Some contract attorneys suggest that the agency consider one of the following:
 - Pay all actual costs
 - Pay a graduated stipend based on number of cases
 - \$25 for 1 to 25 cases
 - \$50 for 26 to 50 cases
 - \$75 for 51 to 100 cases
 - \$100 for 101 cases and above
 - The agency estimates that the cost of this structure will be approximately \$68,000 per year, which is \$17,000 greater than the current amount of approximately \$51,000 per year. Preferably we would pay the stipend one month in arrears so that we could accurately count clients served, as some of our attorneys invoice us several times each month.
 - Increase the service rate above \$60 per hour
 - The agency estimates that the current stipend costs about \$51,000 per year
 - The agency estimates that a \$1 per hour increase in the service rate would result in an expenditure of \$109,600 per year, or approximately \$60,000 more than the current cost.